

REMARKS

This application is in condition for allowance at the time of the next Official Action.

Status of the Claims

Independent claim 9 is amended to be consistent with the Examples, i.e., the method necessarily provides green tea extract, vitamin C, zinc, iron, and copper, where zinc and iron are not simultaneously present in the same composition.

Claims 14, 15, 20, 23, and 24 have been amended to correspond to the amendment to claim 9, and include changes to the concentrations consistent with those disclosed from page 6, line 26 to page 7, line 32 of the present specification.

Claim 26 is cancelled without prejudice.

Claims 9 and 11-25 remain in this application.

Claim Objections

Claim 16 was objected to being of improper dependent claim for failing to further limit the subject matter of a previous claim. This objection is respectfully traversed.

Claim 9, from which claim 16 depends, broadly recites that the compositions (a) and (b) are "separately and consecutively administered". Claim 16 further limits claim 9 by specifying when the compositions are administered, e.g., at the first part of the day and at the second part of the day. That is,

claim 9, for example, includes the administration of both composition separately and consecutively in the first part of the day, but claim 16 further requires the administration of (a) to during the first part of the day and (b) during the second part of the day.

Therefore, claim 16 does further limit claim 9, and withdrawal of the objection is respectfully requested.

Claim Rejections-35 USC §112

Claims 9-26 were rejected under 35 U.S.C. §112, first paragraph, for not complying with the enablement requirement. This rejection is respectfully traversed for the reasons below.

The position of the Official Action was the present specification included critical or essential compositions that are not included in the claims.

However, independent claim 9 has been amended to recite the critical or essential compositions as discussed throughout the specification (e.g., as discussed on page 3, lines 8-17). The Examples demonstrate the efficacy of the composition for treating conditions of the skin, hair, nails and/or overweight conditions.

In Example 1, for instance, composition (a) contains green tea extract, vitamin C, chromium chloride and zinc sulphate, and composition (b) contains iron fumarate and copper sulphate. The Evaluation of Example 1 is in Example 2.

In Example 3, composition (a) contains green tea extract, vitamin C, chromium and zinc, and composition (b) contains iron and copper. These compositions are evaluated for treating the various conditions.

As for the other ingredients listed in Examples 1 and 3, these ingredients may be suitable carriers or excipients, as well as, "ingredients that can complement or reinforce the action of the main ingredients". See, e.g., Page 9, lines 17-30.

Thus, the claimed ingredients are the main ingredients effective for treatment (e.g., as discussed on page 3, lines 8-17), and the other ingredients listed in the Examples complement or reinforce the recited or necessary ingredients, or are simply carriers or excipients.

Therefore, the claims comply with the enablement requirement, and the withdrawal of the rejection is respectfully requested.

Conclusion

In view of the amendment to the claims and the foregoing remarks, this application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our credit card which is being paid online simultaneously herewith for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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